

1 RAÚL R. LABRADOR  
2 Attorney General  
3 DAVID M.S. DEWHIRST (ID #12141)  
Chief Deputy Attorney General  
4 THEODORE J. WOLD (CA #289177)  
Solicitor General  
5 LINCOLN DAVIS WILSON (WA #53764)  
Deputy Attorney General  
6 Chief, Civil Litigation and Constitutional Defense Division  
7 JOSHUA N. TURNER (MN #0400279)  
Deputy Solicitor General  
8 Office of the Attorney General  
P.O. Box 83720  
9 Boise, Idaho 83720-0010  
Tel: (208) 334-2400  
10 Fax: (208) 854-8071

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12                   UNITED STATES DISTRICT COURT  
13                   EASTERN DISTRICT OF WASHINGTON

14 STATE OF WASHINGTON, et al.,

Case No. 1:23-cv-03026

15 Plaintiffs,

16 v.

17 UNITED STATES FOOD AND DRUG  
18 ADMINISTRATION, et al.

**MOTION TO EXPEDITE**

19 Defendants,

20 STATE OF IDAHO; STATE OF  
21 IOWA; STATE OF MONTANA;  
22 STATE OF NEBRASKA; STATE OF  
23 SOUTH CAROLINA; STATE OF  
24 TEXAS; STATE OF UTAH,

Plaintiffs-Intervenors,

1 Plaintiffs-Intervenors move to expedite consideration of their Mo-  
2 tion to Intervene (Dkt. #76) and their pending motions for admission *pro*  
3 *hac vice* (Dkt. ##77, 79, 85, 87, 88, 89) by or before April 21, 2023. To  
4 accommodate the Court's expedited consideration, Plaintiffs-Intervenors  
5 will file their reply in support of their Motion to Intervene by April 19,  
6 2023. Plaintiffs have informed Plaintiffs-Intervenors that they take no  
7 position on this Motion to Expedite, and Defendants have informed Plain-  
8 tiffs-Intervenors that they do not oppose it. Plaintiffs and Defendants  
9 both oppose the underlying Motion to Intervene.

12 Expedited ruling on Plaintiffs-Intervenors' Motion to Intervene and  
13 *pro hac vice* motions will ensure that they are able to protect their inter-  
14 ests fully in this matter. The Court's April 7, 2023 Preliminary Injunction  
15 Order impacts Plaintiffs-Intervenors. Plaintiff States like Washington,  
16 Colorado, New Mexico, and Oregon border several of Plaintiffs-Interve-  
17 nors, and differing safeguards for mifepristone in these States directly  
18 affect Plaintiffs-Intervenors and their residents. These concerns are par-  
19 ticularly salient since mifepristone may otherwise not be approved for  
20 marketing as of April 15, 2023, under the court's order in *Alliance for*  
21 *Hippocratic Medicine v. FDA*, 2:22-cv-00223-Z, Dkt. 137 (Apr. 7, 2023).  
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23

Without expedited consideration, Plaintiffs-Intervenors' motions are set to be considered no earlier than May 1, 2023. The deadline to appeal the Court's Preliminary Injunction order is May 8, 2023, which will likely pass before the Court decides Plaintiffs-Intervenors' Motion to Intervene. Plaintiffs-Intervenors thus have good cause to request expedited consideration and respectfully request a decision on their Motion to Intervene and *pro hac vice* motions by Friday, April 21, 2023, in advance of the deadline to appeal from the April 7, 2023 Preliminary Injunction Order.

Dated: April 11, 2023

/s/ Lincoln Davis Wilson  
LINCOLN DAVIS WILSON (#53764)  
Deputy Attorney General  
Chief, Civil Litigation and  
Constitutional Defense Division  
Office of the Attorney General  
P.O. Box 83720  
Boise, Idaho 83720-0010  
Tel: (208) 334-2400  
Fax: (208) 854-8071  
[Lincoln.Wilson@ag.idaho.gov](mailto:Lincoln.Wilson@ag.idaho.gov)

## CERTIFICATE OF SERVICE

I hereby certify that, on April 11, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Lincoln Davis Wilson  
LINCOLN DAVIS WILSON (WA #53764)